UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

MARY LALIBERTE and MARIE	§	
MCKNIGHT, individually and as	§	
representatives of a class of similarly	§	
situated persons, on behalf of the	§	
QUANTA SERVICES, INC. 401(K)	§	
SAVINGS PLAN,	§	
	§	Case No: 4:22-cv-03290 (AHB)
Plaintiffs,	§	
	§	
v.	§	
	§	
QUANTA SERVICES, INC.,	§	
	§	
Defendant.	§	

DEFENDANT'S UNOPPOSED MOTION FOR HEARING ON PENDING MOTIONS

Pursuant to Local Rule 7.5.A. and this Court's Procedures and Practices, Defendant Quanta Services, Inc. ("Defendant") respectfully requests the opportunity to present oral argument on the following motions, each filed on December 20, 2024: (a) Defendant's Motion for Summary Judgment, (b) Defendant's Motion to Dismiss for Lack of Article III Standing under Fed. R. Civ. P. 12(b)(1), (c) Defendant's Motion to Exclude the Proposed Expert Testimony of Richard Marin, and (d) Defendant's Motion to Exclude the Proposed Expert Testimony of Donald C. Stone (collectively, "Pending Motions"). As grounds for this request, Defendant states as follows:

1. Local Rule 7.5 permits either party to an action to request oral argument before the Court where the "party views oral argument as helpful to the Court." L.R. 7.5.A. The Court is "authorized to exercise broad discretion as to whether and to what extent oral argument would be useful to ruling on pending motions." *Alam v. Fannie Mae*, 2007 WL 703814, at *5 (S.D. Tex. Mar. 2, 2007).

- 2. Defendant's Pending Motions present significant issues regarding, inter alia, Plaintiffs' ability to demonstrate that they and the Plan suffered losses as a result of the Challenged Investments; the impact of Plaintiffs' covenants not to sue on this Court's jurisdiction; and the relevance and reliability of the expert testimony that forms the basis for Plaintiffs' claims. Given the complexity and import of the issues presented, Defendant believes that oral argument will assist the Court in rendering its decisions on the Pending Motions.
 - 3. Plaintiffs have stated that they do not oppose the relief requested in this motion.

WHEREFORE, Defendant respectfully requests that the Court grant this Motion and schedule oral argument on Defendant's Pending Motions.

Dated: December 20, 2024 Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for the parties have conferred regarding Defendant's Motion for Hearing and that Plaintiffs do not oppose Defendant's request.

> /s/ Jeremy P. Blumenfeld Jeremy P. Blumenfeld

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served via the Court's ECF/CM e-filing system to all counsel of record who are deemed to have consented to electronic service on December 20, 2024.

> /s/ Jeremy P. Blumenfeld Jeremy P. Blumenfeld